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Mr. K. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37219-0412  
(615) 741-3939

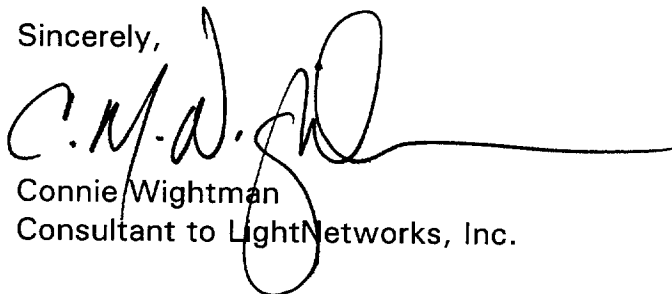
**RE: Facilities-Based Local Telecommunications Application of  
LightNetworks, Inc. - Change of Address Information  
Docket # 99-00911**

Dear Mr. Waddell:

Enclosed for filing is the original and ten (10) copies of the revised prefiled testimony of Mr. Eston Kirby, Vice President of LightNetworks, Inc. for the Hearing scheduled on February 15, 2000. This testimony substitutes the testimony previously filed with the Tennessee Regulatory Authority. Mr. Kirby will be attending the Hearing in person.

Please confirm receipt of this correspondence by returning, date-stamped, the extra copy of this letter in the self-addressed, stamped envelope enclosed for this purpose. Thank you for your assistance with this update. If you have any questions, please do not hesitate to call me at (407) 740-8575.

Sincerely,



Connie Wightman  
Consultant to LightNetworks, Inc.

CW/im.

cc: Carsie Mundy, Tennessee Regulatory Authority  
Eston Kirby, LightNetworks  
File: LightNetworks - TN Local  
TMS: TNF9900C

February 9, 2000  
**Via Overnight Delivery**

'00 FEB 14 AM 9 59

EXECUTIVE SECRETARY

**POSTED**  
2-14-00

**BEFORE THE  
TENNESSEE  
TRANSPORTATION AND REGULATORY AUTHORITY**

In the matter of the Application of )  
LightNetworks, Inc. )  
for Authority to Provide )  
Facilities Based Competing Local and )  
Long Distance Telecommunications Services )

TRA Docket

99-00911

TESTIMONY OF M. ESTON KIRBY, JR.  
Vice President of Planning

POSTED  
2-14-00

1 **Q. Will you please state your name and business address.**

2 A. My name is M. Eston Kirby, Jr. My business address is 2700 Northeast Expressway Access  
3 Road, Building B., Suite 900, Atlanta, Georgia 30345. My telephone number is (404) 320-3021  
4 and facsimile number is (404) 320-9736.

5  
6 **Q. By whom are you employed and in what capacity?**

7 A. As the Vice President of Planning, I am responsible for all facets of the Company's operations  
8 from a network planning perspective, including regulatory and external affairs and issues  
9 regarding LightNetworks, Inc.

10  
11 **Q. Please give a brief description of your background and experience.**

12 A. Prior to joining LightNetworks, I served as a Business Planning and Collocation Manager for  
13 BlueStar Communications, where I was responsible for planning and establishing their collocation  
14 network in approximately 20 cities. Prior to this, I was a Senior Manager with Cathey, Hutton &  
15 Associates, Inc. a private telecommunications consulting firm where I provided CLEC consulting  
16 to clients within the Southeast region. Prior to this I was employed by BellSouth  
17 Telecommunications, Inc. from 1968 to late 1996 where I held various management positions in  
18 network planning, engineering and marketing.

19  
20 **Q. What is the purpose of your testimony?**

21 A. The purpose of my testimony is to present evidence on the financial, technical and managerial  
22 abilities of LightNetworks, Inc. to provide local telecommunications services in Tennessee; and  
23 to describe the services LightNetworks proposes to offer.

24  
25 **Q. Has LightNetworks registered to do business in Tennessee?**

26 A. Yes. LightNetworks is Georgia Corporation. Registration to conduct business in Tennessee  
27 is provided in Attachment C of the application.

1     **Q. Has LightNetworks previously obtained authority in Tennessee?**

2     A. No.

3  
4     **Q. Please describe the services LightNetworks proposes to offer.**

5     A. LightNetworks proposes to offer facilities-based local dial tone and long distance services to  
6     its customers which will be comparable to and competitive with services offered by the incumbent  
7     local exchange carriers. Initially the company will offer business services such as, DID and DSL  
8     -type connections.

9  
10    **Q. How will LightNetworks bill for its services?**

11    A. LightNetworks' local services will be billed directly by the company on a monthly basis.  
12    Fixed monthly charges will be billed monthly in advance, usage-sensitive charges will be billed  
13    in arrears.

14  
15    **Q. How are trouble reports, billing errors and complaints handled?**

16    A. Billing disputes will be reported by the customer via the toll free number, printed on the  
17    Customer's monthly bill. Customer service disputes will be reported via the same 800 number.  
18    In addition, Customers may contact the Company in writing at the headquarters address.  
19    LightNetworks understands the importance of effective customer service for local service  
20    consumers.

21  
22    **Q. Describe the proposed LightNetworks Tennessee tariff.**

23    A. Services included in LightNetworks' tariff include: Standard Local Service, PBX Trunk  
24    Service, Direct Inward Dialing (DID) Service, Optional Calling Features, Listing Services,  
25    Directory Assistance, Local Operator Services and Long Distance Services including Operator  
26    Assistance. Services are offered to both business and residential customers twenty-four hours per  
27    day, seven days per week.

1     **Q. Where is LightNetworks currently certificated?**

2     A. LightNetworks is in the initial stages of filing for certifications and is not offering service as  
3     of this date.

4  
5     **Q. Describe LightNetworks' financial ability to operate as a local service provider.**

6     A. LightNetworks has ample resources for the successful provision of its telecommunications  
7     services. We have provided financial information with our application which clearly demonstrate  
8     that LightNetworks has arranged for the cash flow and capital to expand into the facilities based  
9     CLEC market in Tennessee.

10  
11    **Q. Does LightNetworks have the managerial and technical qualifications to provide local  
12    service in Tennessee?**

13    A. Yes. LightNetworks has an experienced management team. Resumes of key management staff  
14    are provided as Attachment F in of the Company's application.

15  
16    **Q. Where in Tennessee does LightNetworks intend to offer its services?**

17    A. LightNetworks intends to initially offer services in areas of the state served by BellSouth, but  
18    seeks statewide authority for future applications.

19  
20    **Q. How will Tennessee consumers benefit from LightNetworks' services?**

21    A.     Certification of LightNetworks will increase the level of competition in Tennessee.  
22    LightNetworks intends to offer quality service at competitive prices. In addition, LightNetworks'  
23    marketing plan will expand subscriber awareness of options and services available to them, thus  
24    encouraging the growth and success of competitive services.

1     **Q. Why is LightNetworks seeking facilities-based authority in Tennessee? Will**  
2     **LightNetworks use any public rights-of-way?**

3     A. Initially, LightNetworks plans to purchase unbundled network elements (UNE) . The Applicant  
4     will recombine Lucent 5ESS, or equivalent switch. Since LightNetworks has no immediate plans  
5     to deploy cable, it does not foresee using public rights-of-way in the next year. However,  
6     LightNetworks does want the Commission's consent to use public rights-of-way pursuant to  
7     applicable laws for possible future installations.

8  
9     **Q. How will LightNetworks insure it is Y2K compliant?**


10    A. LightNetworks will insure that the services it purchases and deploys are Y2K compliant by  
11    working closely with the Incumbent LEC and its switch vendor. Additionally, LightNetworks is  
12    taking steps to insure that all of its equipment, including office equipment, is Y2K compliant.

13  
14    **Q. Does this conclude your testimony?**

15    A. Yes.

### VERIFICATION

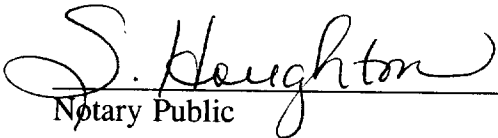
I, Eston Kirby, first being duly sworn upon oath, depose and say that I am Vice President - Planning of LightNetworks, Inc., a Georgia Corporation; that I have read the above and foregoing prefiled testimony by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except to those matters stated upon information and belief, and as to those, I believe same to be true.

  
Eston Kirby, Vice President - Planning  
LightNetworks, Inc.

State of GEORGIA  
County of FULTON

Subscribed and sworn to before me

this 8<sup>th</sup> day of February, 2000

  
Notary Public

My Commission expires:

Notary Public, Cobb County, Georgia  
My Commission Expires January 10, 2004